



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: September 18, 2006 Name: Jasper W. Dockrey (Reg. No. 33,868) Signature: *Jasper W. Dockrey*

BRINKS  
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GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: James Roy Maxwell et al.

Appln. No.: 10/606,671

Filed: June 25, 2003

For: BREATH FRESHENING AND ORAL  
CLEANSING PRODUCT WITH MAGNOLIA  
BARK EXTRACT

Examiner: Ruth A. Davis

Art Unit: 1651

Attorney Docket No: 1391/1555

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal (in dup.), Response Under 37 C.F.R. § 1.116, Petition and Fee for Extension of Time (in dup.), Fifth Supplemental Information Disclosure Statement, Form PTO-1449, Copies of cite references
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☒ An extension fee in an amount of \$450 for a 2-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☒ Checks in the amount of \$450 (extension fee) and \$180 (information disclosure fee) are enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

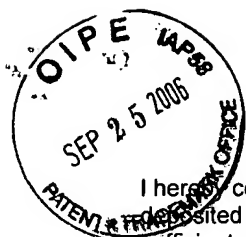
Date

*9/18/06**Jasper W. Dockrey*  
Jasper W. Dockrey (Reg. No. 33,868)

BRINKS HOFFER GILSON &amp; LIONE

NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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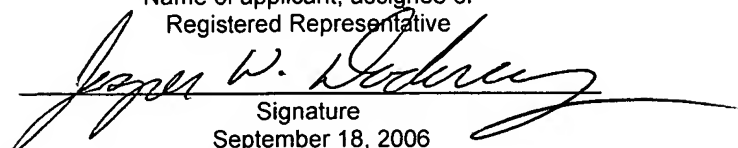
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

on September 18, 2006

Date of Deposit

Jasper W. Dockrey, Reg. No. 33,868

Name of applicant, assignee or  
Registered Representative



Signature  
September 18, 2006  
Date of Signature

Our Case No. 1391/1555 (MAG BAR 01)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James Roy Maxwell et al.

Serial No.: 10/606,671

Filing Date: June 25, 2003

For BREATH FRESHENING AND ORAL  
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BARK EXTRACT

Examiner:

Ruth A. Davis

Group Art Unit No.: 1651

### RESPONSE UNDER 37 C.F.R. § 1.116

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action of April 24, 2006, in the above-referenced application, the Applicants respectfully request reconsideration of the final rejection in view of the amendment and remarks presented herein.

The Applicants have amended their claims to place them in better form. Further, the accompanying Declaration is submitted in response to issues raised by the

Examiner in the instant Office Action. Accordingly, the Applicants respectfully request entry of their amendment and consideration of the accompanying Declaration.

A listing of claims begins at page 3 of this paper.

The Applicants remarks begin on page 12 of this paper.

A Declaration of Minmin Tian under 37 C.F.R. § 1.132 is attached hereto.